

# The Gazette of India

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No. 9] NEW DELHI, SATURDAY, MARCH 3, 1956

## NOTICE

The undermentioned Gazettes of India Extraordinary were published upto the 25th February 1956 :—

Issue No.	No. and date	Issued by	Subject
41A	S. R. O. 432-A dated the 18th February, 1956.	Ministry of Finance .	The Companies (Central Government's) General Rules and Forms, 1956.
	S. R. O. 432-B, dated the 18th February, 1956.	Ditto . .	The Companies Regulations, 1956.
	S. R. O. 432-C, dated the 18th February, 1956.	Ditto . .	Restricted State Auditors (Part B States) Rules, 1956.
42	S. R. O. 433, dated the 18th February, 1956.	Election Commission, India.	Appointment of Assistant to Returning Officer for election by the elected members of the Legislative Assembly of Andhra to fill vacancies in the Council of States.
	S. R. O. 434, dated the 20th February, 1956.	Ditto . .	To elect a person to fill a vacancy in the House of the People in the seat of a member for Tiruvallur constituency in the State of Madras.
	S. R. O. 435, dated the 20th February, 1956.	Ditto . .	Appointment of dates for bye-election to be held in Tiruvallur Parliamentary Constituency.
43	S. R. O. 436, dated the 21st February, 1956.	Ministry of Finance	Appointment of members of the Commission.
44	S. R. O. 437, dated the 21st February, 1956.	Ministry of Food and Agriculture.	The Manipur Foodgrain (Movement) Control Order 1956.
45	S. R. O. 438, dated the 23rd February, 1956.	Election Commission, India.	To elect a person to fill a vacancy in the seats allotted to the State of Jammu and Kashmir in the Council of States.

Issue No.	No. and date	Issued by	Subject
	S. R. O. 439, dated the 23rd February, 1956.	Election Commission, India.	Appointment of dates for election to the Council of States in the seats allotted to the State of Jammu and Kashmir.
	S. R. O. 440, dated the 23rd February, 1956.	Ditto	Designation of Returning Officer for election by the elected members of the legislative Assembly of the State of Jammu and Kashmir to fill a vacancy in the Council of States.
	S. R. O. 441, dated the 23rd February, 1956.	Ditto	Appointment of Assistant to Returning Officer for election by the elected members of the Legislative Assembly of the State of Jammu and Kashmir to fill a vacancy in the Council of States.
46	S. R. O. 442, dated the 13th February, 1956	Election Commission, India.	Election Petition No. 5 of 1954.
47	S. R. O. 481, dated the 23rd February, 1956.	Ministry of Finance (Revenue Division)	Exemption of Steel strips, when imported, from whole of customs duty.
48	S. R. O. 482, dated the 24th February, 1956.	Ministry of Home Affairs.	Appointment of date on which the Durgah Khawajah Saheb Act, 1955 shall come into force.
	S. R. O. 483, dated the 24th February, 1956.	Ditto	Appointment of members of the Durgah Committee, Ajmer.
	S. R. O. 484, dated the 24th February, 1956.	Ditto	Appointment of Administrator for Durgah Khawajah Saheb, Ajmer, to be the first Nazim.
49	S. R. O. 485, dated the 24th February, 1956.	Ministry of Information and Broadcasting.	Certification of certain films to be of the description specified therein.
50	S. R. O. 486, dated the 20th February, 1956.	Election Commission, India.	Designation of Electoral Registration Officer for each of the assembly constituencies in the State of Himachal Pradesh.
51	S. R. O. 487, dated the 9th February, 1956.	Election Commission, India.	Election Petition No. 1 of 1955.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

**PART II—Section 3**

**Statutory Rules and Orders issued by the Ministries of the Government of India (other than the Ministry of Defence) and Central Authorities (other than the Chief Commissioners).**

**ELECTION COMMISSION, INDIA**

*New Delhi, the 23rd February 1956*

**S.R.O. 507.**—It is hereby notified for general information that the disqualifications under clause (c) of section 7 and section 143 of the Representation of the People Act, 1951 (XLIII of 1951), incurred by the person whose name and address are given below, as notified under Notification No. UP-P/52(52), dated the 7th July, 1952, have been removed by the Election Commission in exercise of the powers conferred on it by the said clause and section 144 of the said Act respectively:—

Shri Keshav Deo, Mahim Gate, Bhiwani (U.P.).

[No. UP-P/52(96).]

*New Delhi, the 25th February 1956*

**S.R.O. 508.**—It is hereby notified for general information that the disqualifications under clause (c) of section 7 and section 143 of the Representation of the People Act, 1951 (XLIII of 1951), incurred by the person whose name and address are given below, as notified under Notification No. BR-P/52(19), dated the 13th May, 1952, have been removed by the Election Commission in exercise of the powers conferred on it by the said clause and section 144 of the said Act respectively:—

Shri Sheel Bhadra Yajee alias Laddoo Sharma, Village and P.O. Bakhatlar-pur, Patna.

[No. BR-P/1-3/52(87).]

*New Delhi, the 27th February 1956*

**S.R.O. 509.**—It is hereby notified for general information that the disqualifications under clause (c) of section 7 and section 143 of the Representation of the People Act, 1951 (XLIII of 1951), incurred by the person whose name and address are given below, as notified under Notification No. AS-P/52(2), dated the 13th May, 1952, have been removed by the Election Commission in exercise of the powers conferred on it by the said clause and section 144 of the said Act respectively:—

Shri Sanat Kumar Das, P.O. Udharpbond Village, Durganagar, District Cachar (Assam).

[No. AS-P/1/52(12).]

By Order,

P. S. SUBRAMANIAN, Secy.

**MINISTRY OF LAW**

*New Delhi, the 22nd February 1956*

**S.R.O. 510.**—In exercise of the powers conferred by rule 1 of Order XXVII in the First Schedule to the Code of Civil Procedure, 1908 (Act V of 1908), the Central Government hereby directs that the following further amendments shall be made in the notification of the Government of India in the Ministry of Law, No. S.R.O. 1651, dated the 1st September, 1953, relating to the appointment of officers to sign or verify plaints and written statements in suits in any court of civil jurisdiction by or against the Central Government, namely:—

In the Schedule to the said notification—

(1) In Part VII, which relates to the Ministry of Food and Agriculture, under the heading "Agriculture Wing", after the entry "Superintendent, Cattle-cum-Dairy Farm, Karnal" the following entries shall be inserted, namely:—

"Chief Director of Sugar and Vanaspathi,

Director of Sugar Accounts.

Deputy Director (Sugar Control).

Deputy Directors in the Directorate of sugar and Vanaspathi.

Deputy Directors (Sugar) in the Offices of the Regional Directors (Food), Bombay, Calcutta and Madras".

(2) In Part XVIII which relates to the "Ministry of Works, Housing and Supply", under heading "Stationery and Printing", for the existing entries, the following entries shall be substituted, namely:—

"Chief Controller of Printing and Stationery, India, New Delhi.

Controller of Stationery, Calcutta.

Manager, Government of India Forms Store, Calcutta".

[No. F.25-I/53-L.]

A. M. CHATTERJEA, Dy. Secy.

### MINISTRY OF HOME AFFAIRS

*New Delhi-2, the 27th February 1956*

**S.R.O. 511.**—In exercise of the powers conferred by section 17 and 27 of the Indian Arms Act, 1878 (XI of 1878), the Central Government hereby makes the following further amendment in the Indian Arms Rules, 1951, namely:—

In the table in Schedule III to the said Rules, in entry (1) under column 1, for the expression beginning with the words "Any Arms, ammunition or military stores" and ending with the words "port to which export is permitted", the following shall be substituted, namely:—

"Any arms, ammunition or military stores brought by any individual into any port in India (excluding the State of Jammu and Kashmir), whether they are landed in bond at such port or not:

Provided that they are intended for his own private use and are declared under manifest to be consignments for any port to which export is permitted."

[No. 9/64/55-Police (IV.)

J. N. DHAMIJA, Dy. Secy.

*New Delhi-2, the 28th February 1956*

**S.R.O. 512.**—In exercise of the powers conferred by clause (1) of Article 258 of the Constitution of India, the Central Government hereby:—

(1) entrusts to the Government of Bihar with the consent of that Government, the functions of the Central Government under the Land Acquisition Act, 1894 (I of 1894), in relation to acquisition of land for the purposes of the Union in the State of Bihar, subject to the condition that notwithstanding this entrustment, the Central Government may itself exercise the said functions should it deem fit to do so in any case; and

(2) directs that the word "Bihar" shall be omitted from the notification of the Government of India in the Ministry of Home Affairs, No. S.R.O. 534, dated the 24th March, 1952.

[No. 17/20/56-Judl.]

S. NARAYANSWAMY, Dy. Secy.

### ORDERS

*New Delhi-2, the 22nd February 1956*

**S.R.O. 513.**—In exercise of the powers conferred by rule 20 of the Central Civil Services (Conduct) Rules, 1955, the Central Government hereby directs that the powers exercisable by it under rule 10 and sub-rules (4), (5) and (6) of rule 13, of the said rules shall, subject to any general or special instructions issued

In this behalf, be exercisable also by the Heads of Departments in respect of Government servants of the Central Services, Classes II, III and IV serving under them.

[No. 25/40/55-Ests.]

**S.R.O. 514.**—In pursuance sub-rule (2) of rule 5 of the Central Civil Services (Conduct) Rules, 1955, the Central Government hereby empowers Heads of Departments to accord sanction to Government servants of the Central Services, Classes II, III and IV serving under them to participate in radio broadcasts on the All India Radio.

[No. 25/40/55-Ests.]

R. C. DUTTA, Jt. Secy.

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#### ORDER

*New Delhi-2, the 28th February 1956*

**S.R.O. 515.**—In pursuance of clause (22) of Article 366 of the Constitution of India the President is hereby pleased to recognise Thakor Shri Vinaysinhji as the Ruler of Mohanpur, with effect from the 9th December, 1955, in succession to the late Thakor Shri Sartansinhji.

[No. F.15/44/55-Poll.III.]

V. VISWANATHAN, Joint Secy.

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#### MINISTRY OF EXTERNAL AFFAIRS

*New Delhi-3, the 20th February 1956*

**S.R.O. 516.**—(DCOA-S2/56).—In exercise of the powers conferred by Section 2(a) of the Diplomatic and Consular Officers (Oaths and Fees) Act, 1948, (XLI of 1948), the Central Government hereby appoints Shri N. K. Sharma, Senior Assistant, Vice Consulate of India, Zahidan as Consular Agent during the period of absence of the Vice Consul from Zahidan.

[No. F.21-Cons/56.]

*New Delhi, the 22nd February 1956*

**S.R.O. 517.** (DCOA-S2/56).—In exercise of the powers conferred by Section 2(a) of the Diplomatic and Consular Officers (Oaths and Fees), Act, 1948 (XLI of 1948), the Central Government hereby appoints Shri J. C. Jagasia, Assistant, Consulate of India Muscat, as Consular Agent during the period of absence of Shri G. L. Puri, Consul, from Muscat.

[No. F.21(4)-Cons/56.]

N. V. AGATE, Under Secy.

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#### MINISTRY OF FINANCE

(Department of Company Law Administration)

*New Delhi, the 24th February 1956*

**S.R.O. 518.**—In pursuance of sub-section (4) of section 6 of the Rehabilitation Finance Administration Act, 1948 (XII of 1948), the Central Government hereby nominates Shri Feroz Chand, 157, Kakanagar, New Delhi, as member of the Advisory Board of the Rehabilitation Finance Administration *vice*, Dr. Yudhvir Singh, resigned.

[No. F.7(65)-FIII/55(Corp.).]

S. S. SHARMA, Under Secy.

# **MINISTRY OF FINANCE (REVENUE DIVISION)**

## **CENTRAL EXCISES**

*New Delhi, the 3rd March 1956*

**S.R.O. 519.**—In exercise of the powers conferred by section 37 of the Central Excises and Salt Act, 1944 (I of 1944), as in force in India and as applied to the State of Pondicherry, the Central Government hereby makes the following further amendments in the Central Excise Rules, 1944, namely:—

In rules 49 and 147 of the said rules, the second proviso shall be omitted.

[No. 1-CER/56.]

W. SALDANHA, Dy. Secy.

# **CENTRAL BOARD OF REVENUE**

## **INCOME-TAX**

*New Delhi, the 27th February 1956*

**S.R.O. 520.**—[50/21/56-IT].—In pursuance of sub-section (4) of section 5 of the Indian Income-tax Act, 1922 (XI of 1922), the Central Board of Revenue directs that the following further amendments shall be made to its Notification No. 32-Income-tax, dated the 9th November, 1946, namely:—

In the Schedule appended to the said Notification under the sub-head "I—Madras"—

(a) Under Madras "A" Range for the entry "3. Special Survey Circle No. I, Madras, etc.", the following entries shall be substituted:—

"3. (i) Special Survey Circle No. 1, Madras (in respect of persons, who have their principal place of business in, or reside in, the Districts of Madras and Chingleput.

(ii) Special Survey Circle No. 3, Coimbatore (in respect of persons who have their principal place of business in, or reside in, the District of Salem."

(b) Under Madhurai Range—

after entry "6. Tuticorin Circle" the entry "7. Estate Duty *cum* Income-tax Circle" shall be added.

(c) Under Coimbatore Range—

after the entry "7. Ootacamund Circle" the entry "8. Estate Duty *cum* Income-tax Circle" shall be added.

[No. 13.]

**S.R.O. 521.**[F. No. 55/126/55-IT].—In exercise of the powers conferred by sub-section (6) of section 5 of the Indian Income-tax Act, 1922 (XI of 1922), the Central Board of Revenue hereby directs that the following further amendments shall be made in the schedule appended to its Notification S.R.O. 1214 (No. 44-Income-tax), dated the 1st July, 1952, namely:—

In the said schedule, after serial No. 3A, the following item shall be inserted, namely:—

1.	2	3	4	5	6
3-B	Employees of the Arcot Mission of the Reformed Church in America Vellore, North Arcot District stationed anywhere in the taxable territories.	I.T.O. Vellore	I.A.C. Range II, Madras	A.A.C. "B" Range, Madras	-do-

[No. 14.]

**S.R.O. 522 [55/4/56-I.T.]**.—In exercise of the powers conferred by sub-section (6) of section 5 of the Indian Income-tax Act, 1922 (XI of 1922), the Central Board of Revenue directs that the following further amendments shall be made in its Notification No. 44-I.T. dated the 1st July, 1952, namely :—

In the schedule appended to the said Notification for the entries in columns 4, 5 and 6 against S. Nos. 9, 10, 11, 12, 13, 14, 15, 15-A, 15-B, 16, 17, 18, 19, 20, 20A, 20B, 21, 21A and 72, the following entries shall be substituted, namely :—

Serial Nos. 1	I.A.C. of I.T. 4	A.A.C. of I.T. 5	C.I.T. 6
9	I.A.C. of I. T. 'D' Range, Bombay.	A.A.C. of I. T. 'K' Range Bombay	G. I. T., Bombay City I
10	Do. . . . .	Do. . . . .	Do.
11	Do. . . . .	Do. . . . .	Do.
12	Do. . . . .	A. A.C. of I. T., B-Range, Bombay.	Do.
13	Do. . . . .	A. A.C. of I. T., K-Range Bombay	Do.
14	Do. . . . .	Do. . . . .	Do.
15	Do. . . . .	Do. . . . .	Do.
15A	Do. . . . .	Do. . . . .	Do.
15B	Do. . . . .	Do. . . . .	Do.
16	I. A.C. of I. T., B-Range, Bombay	A. A.C. of I. T., H-Range, Bombay	Do.
17	Do. . . . .	Do. . . . .	Do.
18	Do. . . . .	Do. . . . .	Do.
19	Do. . . . .	Do. . . . .	Do.
20	Do. . . . .	Do. . . . .	Do.
20A	Do. . . . .	Do. . . . .	Do.
20B	Do. . . . .	Do. . . . .	Do.
21	Do. . . . .	Do. . . . .	Do.
21-A	Do. . . . .	Do. . . . .	Do.
72	Do. . . . .	Do. . . . .	Do.

and for the entry in column 6-against item 78(c) the following entry shall be substituted :

"The Commissioner of Income-tax, Bombay City I".

[No. 15.]

M. S. SIVARAMAKRISHNA, Under Secy.

#### ESTATE DUTY

*New Delhi, the 28th February 1956*

**S.R.O. 523[F. No. 21/7/55-E.D.]**.—In exercise of the powers conferred by the second proviso to sub-section (2) of section 4 of the Estate Duty Act, 1953 (34 of 1953), the Central Board of Revenue hereby directs that, subject to the pecuniary limits specified in the notification of the Central Board of Revenue No. 5-E.D., dated the 4th December, 1953, every Income-tax Officer appointed to be an Assistant Controller and posted to the Estate Duty *cum* Income-tax Circle, Hyderabad, shall perform his functions as Assistant Controller in the said Circle to the exclusion of all other Assistant Controllers in respect of the estates of all deceased persons who immediately before their death were being, or would have been, assessed to income-tax, had they derived any taxable income, in any Income-tax Circle within the Range of the Inspecting Assistant Commissioner, Hyderabad.

[No. 18.]

**S.R.O. 524[F. No. 21/7/55-E.D.]**.—In exercise of the powers conferred by the second proviso to sub-section (2) of section 4 of the Estate Duty Act, 1953 (34 of 1953), the Central Board of Revenue hereby directs that, subject to the pecuniary limits specified in the notification of the Central Board of Revenue No. 5-E.D., dated the 4th December, 1953, every Income-tax Officer appointed to be an Assistant Controller and posted to the Estate Duty *cum* Income-tax

Circle, Vijayavada, shall perform his functions as Assistant Controller in the said Circle to the exclusion of all other Assistant Controllers in respect of the estates of all deceased persons who immediately before their death were being, or would have been, assessed to income-tax, had they derived any taxable income, in any Income-tax Circle within the Range of the Inspecting Assistant Commissioner, Vijayavada.

[No. 19.]

R. K. DAS, Secy.

### MINISTRY OF COMMERCE AND INDUSTRY

*New Delhi, the 23rd February 1956*

**S.R.O. 525.**—In exercise of the powers conferred by section 8 of the Emblems and Names (Prevention of Improper Use) Act, 1950 (XII of 1950), the Central Government hereby directs that the following addition shall be made to the Schedule to the said Act, namely:—

“10. The Medals, badges or decorations instituted by the Government from time to time or the miniatures or replicas of such medals, badges or decorations.”

[No. 9(1)-TMP/(EN)/56.]

S. A. TECKCHANDANI, Dy. Secy.

*New Delhi, the 24th February 1956*

**S.R.O. 526.**—Shri D. N. Mahta assumed charge of the office of Member Forward Markets Commission, Bombay, with effect from the forenoon of the 7th February, 1956.

[No. 25/7/Estt.C/56.]

S. V. R. CHARI, Under Secy.

### MINISTRY OF FOOD AND AGRICULTURE

*New Delhi, the 20th February 1956*

**S.R.O. 527.**—In pursuance of the provisions of sub-section (d) of Section 4 of the Indian Oilseeds Committee Act, 1946 (IX of 1946), the Central Government hereby re-nominate Shri B. Banerjee, Technical Adviser, Ministry of Food and Agriculture, Government of India, as a member of the Indian Central Oilseeds Committee for another term of three years with effect from 1st April, 1956.

[No. F.6-2/56-Com.I.]

**S.R.O. 528.**—In pursuance of the provisions of sub-section (f) of Section 4 of the Indian Oilseeds Committee Act, 1946 (IX of 1946), the State Government of Rajasthan have nominated Shri Ghamandi Singh, District Bharatpur, Bharatpur as a member of the Indian Central Oilseeds Committee, with effect from the 1st April, 1956, *vice* Shri Chandan Singh Chowdhary.

[No. F.6-4/56-Com.I.]

**S.R.O. 529.**—In pursuance of the provisions of sub-section (f) of section 4 of the Indian Oilseeds Committee Act, 1946, (IX of 1946), the State Government of Mysore have renominated Shri G. Shivappa, B.A., LL.B., Chitaldurg (Mysore), as a member of the Indian Central Oilseeds Committee, with effect from the 1st April, 1956

[No. F.6-4/56-Com.I.]

**S.R.O. 530.**—In pursuance of the provisions of sub-section (q) of Section 4 of the Indian Oilseeds Committee Act, 1946 (IX of 1946), the Federation of Rural Peoples' Organisation have renominated Shri G. Umamaheswara Rao, 153, Shenoy

Nagar, Madras-10 as a member of the Indian Central Oilseeds Committee for a term of 3 years with effect from 1st April, 1956.

[No. F.6-11/56-Com.I.]

(Agriculture)

*New Delhi, the 21st February 1956*

**S.R.O. 531.**—In exercise of the powers conferred by Section 15 of the Indian Cotton Cess Act, 1923 (XIV of 1923), the Central Government hereby makes the following amendments to the Indian Cotton Cess Rules, 1923, namely:—

In the said rules,

- (i) for sub-rule (3) of rule 9, the following shall be substituted, namely:—

“The Committee may by resolution delegate to the Standing Finance Sub-Committee, President, Secretary or any other Officer of the Committee such of its powers under this rule as it may deem fit”.

- (ii) for sub-rule (2) of rule 10, the following shall be substituted, namely:—

“The grant of leave, pay and allowances to officers and servants of the Committee who are not Government servants, shall be regulated by the Committee, who may delegate such of its powers in this regard as it may deem fit to the Standing Finance Sub-Committee, President, Secretary or any other Officer of the Committee”.

[No. F.1-41/54-Com.II.]

MOKAND LALL, Under Secy.

(Agriculture)

*New Delhi, the 22nd February 1956*

**S.R.O. 532.**—The following draft of certain further amendments to the Sann Hemp Grading and Marking Rules, 1942, which it is proposed to make in exercise of the powers conferred by Section 3 of the Agricultural Produce (Grading and Marking) Act, 1937, (I of 1937), is published, as required by the said section, for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration on or after the 20th March, 1956.

Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government.

*Draft Amendments*

In Schedule V to the said rules,

- (i) in column 2 against Gopalpore White and Gopalpore Brown for the figures “8 lb” and “10 lb” the figures “12 lb” and “16 lb” respectively shall be substituted;
- (ii) after the entries relating to grade designation “Gopalpore Brown” the following entries shall be inserted, namely:—  
“Gopalpore Dark 20 lb. Grey 36 inches”; and
- (iii) in column 2 against “Gopalpore Shorts” the figure “35 lb” shall be inserted.

[No. F.2-1/56-AM.]

SWAMI DAYAL OBEROI, Under Secy.

MINISTRY OF HEALTH

*New Delhi, the 21st February 1956*

**S.R.O. 533.**—In exercise of the powers conferred by sub-section (2) of section 4 and sub-section (1) of section 23 of the Prevention of Food Adulteration Act, 1954 (37 of 1954), the Central Government, after consultation with the Central Committee for Food Standards hereby makes the following amendment

to the Prevention of Food Adulteration Rules, 1955, the same having been previously published as required by sub-section (1) of section 23 of the said Act, namely:—

*Amendment*

In the said rules—

for the words and figures “on the first day of March, 1956” the following shall be substituted, namely:—

“on the first day of June, 1956”.

[No. PFA/F.41-5/55-PH.]

**S.R.O. 534.**—In pursuance of clause (9) of rule 2 of the Indian Aircraft (Public Health) Rules, 1954, the Central Government hereby directs that the following further amendment shall be made in the notification of the Government of India in the Ministry of Health No. F.16-1/54-PH(D. 743-IH/55), dated the 17th October, 1955, namely:—

In the said notification under the heading “CENTRAL AMERICA after Panama Canal Zone”, the following shall be added, namely:—

“Guatemala”.

[No. 11-1/56-I.H.]

A. V. VENKATASUBBAN, Dy. Secy.

*New Delhi-2, the 27th February 1956*

**S.R.O. 535.**—The Uttar Pradesh Nurses and Midwives Council having elected under sub-clause (ii) of clause (g) of sub-section (1) of section 3 of the Indian Nursing Council Act, 1947 (XLVII of 1947), Srimati D. A. Beatt, Senior Matron, Sarojini Naidu Hospital, Agra, as a member representing it on the Indian Nursing Council, in the vacancy caused by the resignation of Kumari E. Booth, the following amendment is made to the notification of the Government of India in the Ministry of Health, No. INC/3/1, dated the 2nd December, 1954, namely:—

In the said notification, under the heading “*Elected under sub-clause (ii) of clause (g) of sub-section (1) of section 3*” for item 1 relating to Kumari E. Booth, the following item shall be substituted, namely:—

“1. Srimati D. A. Beatt, Senior Matron, Sarojini Naidu Hospital, Agra (Uttar Pradesh).”

[No. F.2-1/54-MI.]

KRISHNA BIHARI, Under Secy.

**DELHI DEVELOPMENT PROVISIONAL AUTHORITY**

*New Delhi, the 20th February 1956*

... **S.R.O. 536.**—In exercise of the powers conferred by section 14, of the Delhi (Control of Building Operations) Act, 1955, the Delhi Development Provisional Authority hereby directs that the powers exercisable under section 7 of the said Act may also be exercised by the Secretary of the Authority in respect of the following categories of building applications:—

- (1) erection or re-erection of boundary walls;
- (2) erection or re-erection of purely temporary structures; and
- (3) additions and/or alterations to buildings, the plans of which have been duly sanctioned by a competent authority.

[No. F.1(5)/55-Admn.]

S. N. SAPRU, Secy.

## MINISTRY OF TRANSPORT

New Delhi, the 23rd February 1956

**S.R.O. 537.**—In exercise of the powers conferred by Section 92 of the Motor Vehicles Act, 1939 (IV of 1939), the Central Government hereby makes the following amendments to the Motor Vehicles International Circulation Rules 1933, the same having been previously published as required by Sub-Section (1) of Section 133 of the said Act.

*Amendments*

In the said rules:—

1. For the words 'British India' wherever they occur, the word 'India' shall be substituted.

2. For sub-rule (2) of rule 1, the following sub-rule shall be substituted, namely:—

'(2) They extend to the whole of India except the State of Jammu and Kashmir'.

3. In sub-rule (1) of rule 9, the words and letter 'not being a destination in a Part B State,' shall be omitted.

4. In rule 15, the words and letter 'not being a place in a Part B State', shall be omitted.

5. In the First Schedule, for the Table in Annex C, the following table shall be substituted, namely:—

"GERMANY	D
United States of America	US
Austria	A
Belgium	B
Brazil	BR
Great Britain and Northern Ireland	GB
Alderney	GBA
Gibraltar	GBZ
Guernsey	GBG
Jersey	GBJ
Malta	GBY
India	IND
Bulgaria	BG
Chile	RCH
China	RC
Columbia	CO
Cuba	C
Denmark	DK
Danzig	DA
Egypt	ET
Ecuador	EQ
Pakistan	PAK
Iran	IR
Irish Free State	EIR
Italy	I
Latvia	LR
Liechtenstein	FL
Lithuania	LT
Luxemburg	L
French Morocco	F
Mexico	MEX
Monaco	MC
Norway	N
Panama	PY
Paraguay	PA
Netherlands	NL
Dutch East Indies	IN
Peru	PE
Poland	PL
Portugal	P
Roumania	R
Territory of the Saar	SA
Yugoslavia	Y
Siam	SM

Spain . . . . .	E
Estonia . . . . .	EW
Finland . . . . .	SF
France, Algeria & Tunis . . . . .	F
Guatemala . . . . .	G
Greece . . . . .	GR
Haiti . . . . .	RH
Hungary . . . . .	H
Sweden . . . . .	S
Switzerland . . . . .	CH
Syria & Lebanon . . . . .	SL
Czechoslovakia . . . . .	CS
Turkey . . . . .	TR
Union of Soviet Socialist Republics . . . . .	SU
Uruguay . . . . .	U

NOTE :—Since the conclusion of the Convention the following distinctive letters have been adopted for the States named below :

Palestine . . . . .	M
All French Colonies . . . . .	F
Togo territory under French Mandate . . . . .	TT
Cameroon territory under French Mandate . . . . .	TC
Belgian Congo and territories placed under the Mandate of Belgium . . . . .	CB
Saint-Marin . . . . .	RSM
Union of South Africa . . . . .	ZA
Mandatory Territory of South West Africa . . . . .	SWA
Iceland . . . . .	IS
British Honduras . . . . .	BH
Seychelles . . . . .	SY
Somaliland Protectorate . . . . .	SP
State of North Borneo . . . . .	SNB
Trinidad and Tobago . . . . .	TD
Mauritius . . . . .	MS
Isle of Man . . . . .	GBM
Iraq . . . . .	IRQ
Vatican City . . . . .	V
Southern Rhodesia . . . . .	SR
Italian Colonies and Possessions . . . . .	I
Colony and Protectorate of Kenya . . . . .	EAK
Colony and Protectorate of Uganda . . . . .	EAU
Colony and Protectorate of Nyassaland . . . . .	NP
Tanganyika Territory . . . . .	EAT
Northern Rhodesia . . . . .	NR
Cyprus . . . . .	CY
Gambia (Colony & Protectorate) . . . . .	WAG
Colony of Gold Coast and Ashanti, Northern Territories and British Mandate in Togoland . . . . .	WAC
Hongkong . . . . .	HK
Jamaica (including Turks and Caicos Island and Cayman Islands) . . . . .	JA
Windward Island of—	
Grenada . . . . .	WG
St. Lucia . . . . .	WL
St. Vincent . . . . .	WV
Angola . . . . .	PAN
Ceylon . . . . .	CL
Straits Settlements . . . . .	SS
Federated Malaya States (Negri Sembilan, Pahang, Perak and Selangor) . . . . .	FM

Non-Federated Malaya States :—

Johore . . . . .	JO
Kedah . . . . .	KD
Kelantan . . . . .	KL
Perlis . . . . .	PS
Mozambique . . . . .	MOC
Tangier . . . . .	MT
Spanish Morocco . . . . .	ME
Albania . . . . .	AL

Trengannu Territory . . . . .	TU
Basutoland . . . . .	BL
Bechuanaland Protectorate . . . . .	BP
Swaziland . . . . .	SD
Dutch Guiana . . . . .	SME
Curacao . . . . .	CU
Argentine Republic . . . . .	RA
Nigeria (Colony Protectorate and British Mandate in Cameroon) . . . . .	WAN
Sierra Leone (Colony and Protectorate) . . . . .	WAL

[No. 27-T(7)/50.]

*New Delhi, tht 23rd February 1956*

**S.R.O. 538.**—In exercise of the powers conferred by section 111 of the Motor Vehicles Act, 1939 (IV of 1939), the Central Government hereby makes the following amendments to the Motor Vehicles (Third Party Insurance) Rules, 1946, the same having been previously published as required by sub-section (1) of section 133 of the said Act:—

*Amendments*

In the said rules:

1. For the words 'British India' and 'Superintendent of Insurance' wherever they occur, the words 'India' and 'Controller of Insurance' shall respectively be substituted.

2. After rule 1, the following rule shall be inserted, namely:—

"1-A. Extent.—These rules extend to the whole of India, except Part B States".

3. In Forms A, B, C, G, and H in the Schedule, the brackets and word '(India)' shall be inserted at the right hand top corner.

[No. 27-T(7)/50.]

(Sd.) Illegible, Dy. Secy.

**(Transport Wing)****PORTS***New Delhi, the 21st February 1956*

**S.R.O. 539.**—In exercise of the powers conferred by sub-section (3) of section 3 of the Indian Ports Act, 1908 (XV of 1908), the Central Government hereby authorises Sarvashri S. N. Kapoor and K. S. Contractor, temporary Pilots of the Bombay Port Trust, to pilot vessels in the Port of Bombay.

[No. 8-A-PI(14)/56.]

*New Delhi, the 27th February 1956*

**S.R.O. 540.**—In exercise of the powers conferred by sub-section (3) of section 3 of the Indian Ports Act, 1908 (XV of 1908), the Central Government hereby authorises Shri N. P. Sathe, a temporary pilot of the Bombay Port Trust, to pilot vessels in the Port of Bombay.

[No. 8-A-PI(15)/56.]

K. NARAYANAN, Under Secy.

**(Transport Wing)****PORTS***New Delhi, the 22nd February 1956*

**S.R.O. 541.**—The following draft of a certain amendment to the Kandla Port Rules, 1955, which the Central Government proposes to make, in exercise of the powers conferred by sub-section (1) of section 6 of the Indian Ports Act, 1908

(XV of 1908), is published, as required by sub-section (2) of the said section, for the information of all persons likely to be affected thereby and notice is hereby given that the draft will be taken into consideration on or after the 1st April, 1956.

Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government.

#### *Draft Amendment*

In the said Rules, for rule 42, the following rule shall be substituted, namely:—

"All vessels within the port shall lie entirely at the risk of their respective masters or owners who shall also be held responsible for any loss or damage that may arise as a consequence of faulty navigation or by reason of the vessels breaking adrift from their anchors or moorings."

[No. 3-PII(78)/54.]

A. V. SUBRAMANIA IYER, Under Secy.

### MINISTRY OF COMMUNICATIONS

*New Delhi, the 13th December 1955*

**S.R.O. 542.**—In exercise of the powers conferred by Section 4 of the Air Corporations Act, 1953 (27 of 1953), the Central Government hereby appoints Shri B. R. Patel, I.C.S., General Manager, Air India International Corporation as a Member of that Corporation.

[No. 3-CA(17)/55.]

B. N. JHA, Secy.

#### **(Posts and Telegraphs)**

*New Delhi, the 24th February 1956*

**S.R.O. 543.**—In exercise of the powers conferred by Section 7 of the Indian Telegraph Act, 1885 (XIII of 1885), the Central Government hereby makes the following further amendments in the Indian Telegraph Rules, 1951, namely:—

For rule 423 of the said Rules, the following rule shall be substituted, namely:—

"423. *Fixed Time Calls*—Advance Bookings; in the trunk telephone service, subject to conditions prescribed by the Director-General, a subscriber booking private trunk calls may be allowed to book in advance a "Fixed Time" trunk call, either ordinary or urgent, to be put through at or near an agreed time on any day over a direct trunk line. For a "Fixed Time" trunk call an extra charge of 25 per cent. of the full, ordinary or urgent rate of charge, as the case may be, for a single period shall be payable, subject to a minimum of six annas for ordinary calls and twelve annas for urgent calls and to a maximum of two rupees for ordinary calls and four rupees for urgent calls. If prior intimation is received that a subscriber binds himself to make a "Fixed Time" call between the same two numbers for a period of at least five consecutive days in the week, he may be allowed to do so. Such calls are termed "subscription Fixed Time" calls. The extra charge for each such call shall be reduced to one half of the extra charge for the corresponding "Fixed Time" call. For the purpose of reckoning consecutive days, Sundays and the Telegraph holidays (Rule 78), on which calls are not made, shall be ignored, and when there are two Telegraph holidays in a particular week, the aforesaid minimum period of five consecutive days in a week shall be reduced to a period of four consecutive days.

A "Subscription Fixed Time" call on a bank or Market holiday may be put through on an alternative calling telephone number intimated by the calling subscriber. The telephone exchange should verify that—

- (i) the office in which the calling telephone is situated is actually closed on the particular day; and
- (ii) the alternative calling number on which the call is required to be put through, actually belongs to the party who has booked the subscription fixed time call.

When this option of an alternative calling number is exercised on any day by the subscriber for any particular booking of "subscription fixed time" calls, he will have to pay at "Fixed Time" call rates (and not at "subscription fixed time" rates) for that day and subsequent days of that booking.

[No. PHB.109-2/55.]

H. C. SHARMA, Under Secy.

**MINISTRY OF IRRIGATION AND POWER***New Delhi, the 6th September 1955*

**S.R.O. 544.**—In exercise of the powers conferred by Section 3 of the Electricity (Supply) Act, 1948 (LIV of 1948), the Central Government hereby appoints Shri S. S. Kumar, Member, Central Water and Power Commission, as a Member of the Central Electricity Authority.

[No. EL-II-1(194).]

R. R. BAHL, Dy. Secy.

**MINISTRY OF REHABILITATION***New Delhi, the 21st February 1956*

**S.R.O. 545.**—Whereas the Central Government is of opinion that it is necessary to acquire certain evacuee properties in the State of Andhra for a public purpose, being a purpose connected with the relief and rehabilitation of displaced persons, including payment of compensation to such persons ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 12 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), it is notified that the Central Government has decided to acquire, and hereby acquires, the evacuee properties specified in the Schedule hereto annexed.

**THE SCHEDULE**

Serial No.	Particulars of the evacuee property and its location	Name of the evacuee
1	2	3
1.	Allias Oil Mills and the Grazing ground with two godowns adjacent to the main building and surrounded by a compound wall standing on S. No. 28/1, 255/1, 255/2-A, 255/2-B, 255/3-A, 255/3-B, 256 of Vandurangi Village in Panduru Panchayat, Sirikakulam District.	(1) Janab Tayoob Ali. (2) Begum Humera Noor Mohd.
2.	S. No. 185/1, 185/2 & 185/3 of Pandruru Village, Sirikakulam District.	Do.
3.	H. No. 199, Ward No. 21, Railway Station Road, Malakpatnam, Masulepatnam, Krishna District.	Janab Kasum Ali Ausame.
4.	T. S. No. 715/2, Block No. 12, Old, Ward No. 3, Ward No. 4, in Guntur Town.	Mohd. Akbar S/o Mohd. Hafeeg.
5.	No. 125, Ward No. III, Anantapur Town . . .	M/s. K. M. Basheer & Muncer Sahib of Bellary.
6.	No. 124, Ward No. III, Anantapur Town . . .	Do.
7.	Dawood Oil Mills, S. No. 1355/1, located on the right side of the road leading in Madanapalli from Vayalpad, Chittoor District.	Janab Dawood Ali Alias Ali Mohd. Dawood.
8.	H. No. 5, Ward-I of Bervancha Village Nuzvid Taluk, Krishna District.	Syed Behaul Haq.

[No. F. 10 (111) SI/55.]

*New Delhi, the 24th February 1956*

**S.R.O. 546.**—Whereas the Central Government is of opinion that it is necessary to acquire certain evacuee properties in the State of Orissa for a public purpose, being a purpose connected with the relief and rehabilitation of displaced persons, including payment of compensation to such persons;

Now, therefore, in exercise of the powers conferred by section 12 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), it is notified that the Central Government has decided to acquire, and hereby acquires, the evacuee properties specified in the Schedule below:—

#### THE SCHEDULE

All urban immovable properties in the State of Orissa, that is to say, immovable properties situated in that State within the limits of a corporation, a municipality, a municipal committee, a notified area committee, a town area or a small town committee or a cantonment board as those limits existed on the 15th August, 1947, which have been declared or deemed to have been declared as evacuee properties under the Administration of Evacuee Property Act, 1950 (XXXI of 1950), except properties falling under any one or more of the following categories:—

(1) any such property—

(i) in respect of which proceedings are pending before any authority at the date of this notification under the Administration of Evacuee Property Act, 1950 (XXXI of 1950), in which the question at issue is whether the property is or is not evacuee property; or

(ii) in respect of which the period of limitation, if any, fixed for an appeal or revision under the said Act for disputing the vesting of the property in the Custodian as evacuee property has not expired;

(2) any such property in respect of which an application for the grant of a certificate under sub-section (1) of section 16 of the Administration of Evacuee Property Act, 1950 (XXXI of 1950), is pending at the date of this notification or in respect of which the period of limitation fixed for making such application has not expired;

(3) Any such property which has been restored under section 16 of the Administration of Evacuee Property Act, 1950 (XXXI of 1950), or in respect of which an application under sub-section (2) of that section for its restoration is pending at the date of this notification, or in respect of which a certificate under sub-section (1) of that section has been granted but application under sub-section (2) of that section for its restoration has not been made;

(4) any such property which before the date of this notification has been transferred and the transfer is effective under section 40 of the Administration of Evacuee Property Act, 1950 (XXXI of 1950), or in respect of which any proceedings are pending under the said section on the date of this notification under that section;

(5) any such property which is a composite property within the meaning of the Evacuee Interest (Separation) Act, 1951 (LXIV of 1951);

(6) any such property in respect of which any proceedings are pending in a Civil Court wherein the question at issue is whether the property is evacuee property or not;

(7) any such property which at the date of this notification is being treated or is being managed as a trust property for a public purpose of a religious or charitable nature under sub-section (1) of section 11 of the Administration of Evacuee Property Act, 1950 (XXXI of 1950).

[No. F.10(225)-SI/55.]

KULWANT SINGH, Under Secy.

*New Delhi, the 25th February 1956*

**S.R.O. 547.**—In exercise of the powers conferred by sections 4, 5 and 9 of the Transfer of Evacuee Deposits Act, 1954 (15 of 1954), the Central Government

hereby specifies the Custodian of Deposits, Pakistan, as the Authorised Officer or authority for the purposes of the said sections.

[No. 7(4)/55-N.]

N. C. SHRIVASTAVA, Joint Secy.

*New Delhi, the 21st February 1956*

**S.R.O. 548.**—In exercise of the powers conferred by sub-section (1) of section 3 of the Displaced Persons (Compensation and Rehabilitation) Act 1954 (44 of 1954), the Central Government hereby appoints Shri A. L. Fletcher, I.C.S., Financial Commissioner, Revenue and Rehabilitation, Punjab Government as Settlement Commissioner in the State of Punjab for the purpose of performing the functions assigned to the Settlement Commissioner by or under this Act, *vice* Shri P. K. Gul, I.C.S.

[No. SIII-7(57)/55-I.]

*New Delhi, the 21st February 1956*

**S.R.O. 549.**—In exercise of the powers conferred by clause (a) of sub-section (2) of section 16 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby appoints officers for the time being holding the posts of Extra Assistant Commissioner Beawar, the Sub-Divisional Officer, Ajmer and the Sub-Divisional Officer, Kekri, in the State of Ajmer as managing officers for the custody, management and disposal of *evacuee* properties within their respective jurisdiction which have been acquired under section 12 of the said Act by virtue of the notifications of the Government of India in the Ministry of Rehabilitation, Nos. SIII-6(4)/55-I and SIII-6(4)/55-II, dated the 5th December, 1955.

[No. 6(5)/SIII/55.]

#### ORDER

*New Delhi, the 20th February 1956*

**S.R.O. 550.**—In exercise of the powers conferred by sub-section (1) of section 3 of the Displaced Persons (Compensation and Rehabilitation) Act 1954 (44 of 1954), the Central Government hereby directs that Shri A. L. Fletcher, I.C.S., Settlement Commissioner in the State of Punjab, shall perform the functions assigned to him by or under this Act only in respect of agricultural lands situated in the State of Punjab in any rural area as defined in clause (f) of rule 2 of the Displaced Persons (Compensation and Rehabilitation) Rules, 1955 including houses, if any, in any such area allotted along with such lands.

[No. SIII-7(57)/55-II.]

M. L. PURI, Under Secy.

#### ORDERS

*New Delhi, the 20th February 1956*

**S.R.O. 551.**—In exercise of the powers conferred by sub-section (2) of section 34 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), I, Shri L. J. Johnson, I.C.S., Chief Settlement Commissioner, hereby delegate to Shri A. L. Fletcher, I.C.S., Settlement Commissioner, Punjab, the power conferred upon me under section 28 of the said Act to transfer cases pending before an officer appointed under the said Act to another officer, in so far as such cases relate to the custody, management and disposal of property (including agricultural land) in the State of Punjab in a rural areas defined in clause (f) of rule 2 of the Displaced Persons (Compensation and Rehabilitation) Rules, 1955, which forms part of the Compensation Pool.

[No. SIII-7(57)/55-III.]

**S.R.O. 552.**—In exercise of the powers conferred by sub-section (2) of section 34 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954) I, Shri L. J. Johnson, I.C.S., Chief Settlement Commissioner, hereby delegate to

Shri A. L. Fletcher, I.C.S., Settlement Commissioner, Punjab, the powers conferred upon me under section 23 and 24 of the said Act in relation to any order passed by an Additional Settlement Commissioner in the State of Punjab in respect of the custody, management and disposal of any property (including agricultural land) and situated in the said State in any rural area as defined in clause (f) of rule 2 of the Displaced Persons (Compensation and Rehabilitation) Rules, 1955, which forms part of the compensation pool.

[No. SIII-7(57)/53-IV.]

L. J. JOHNSON,  
Chief Settlement Commissioner.

## MINISTRY OF LABOUR

*New Delhi, the 22nd February 1956*

**S.R.O. 553.**—The Government of the State of Madhya Bharat having nominated, in pursuance of clause (d) of sub-section (1) of section 10 of the Employees' State Insurance Act, 1948, (XXXIV of 1948), Dr. R. M. Bhandari, M.B.B.S., Director of Health Services, Madhya Bharat, Gwalior, to be a member of the Medical Benefit Council constituted by the notification of the Government of India in the Ministry of Labour No. S.R.O. 1209, dated the 6th April, 1954, the Central Government hereby makes the following further amendment in the said notification; namely:—

"For item (16) in the said notification, the following item shall be substituted, namely:—

"(16) Dr. R. M. Bhandari, M.B.B.S., Director of Health Services, Madhya Bharat, Gwalior".

[No. F.SS.121(122).]

K. N. NAMBIAR, Under Secy.

*New Delhi, the 28th February 1956*

**S.R.O. 554.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the Industrial dispute between the employers in relation to the North Chirimiri Colliery and their workmen.

### CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT DHANBAD

REFERENCE No. 8 OF 1955

#### PRESENT

Shri P. S. Bindra, B.A., LL.B., *Chairman*

#### PARTIES

The employers in relation to the North Chirimiri Colliery

AND

Their workmen.

#### APPEARANCES

Shri D. D. Diddee, Agent, North Chirimiri Colliery—*For the employers.*

Shri R. L. Malviya, President, Chhatisgarh Colliery Workers Federation, and

Shri R. K. Dubey, General Secretary, Chhatisgarh Colliery Workers Federation—*For the workmen.*

#### AWARD

The Government of India, in the Ministry of Labour, by Order No. LR.2-(369)/52, dated 14th April, 1955, has referred to this Tribunal the industrial

dispute between the employers in relation to the North Chirimiri Colliery and their workmen in respect of the following matter:—

"In terms of the award of the Industrial Tribunal, Dhanbad, in the dispute between the management of the North Chirimiri Colliery and their workmen, published in the *Gazette of India*, Part II, Section 3, dated the 17th February, 1951, *vide* S.R.O. 204(46), dated the 13th February, 1951, should the monetary relief to which Shri R. K. Dubey is entitled be calculated on the basis of his basic wage and allowances?"

2. The award referred to above is the award given in Reference No. 5 of 1950 by Shri S. P. Varma which was based on an agreement of the parties and the relevant portion of which runs as follows:—

"So far as the last issue, namely, the reinstatement of Shri R. K. Dubey is concerned, the parties I am glad to say, have come to an understanding. The document that has been placed before me has been signed by the representatives of both parties. The agreement runs as follows:—

"20th January, 1951

Parties agree that Shri R. K. Dubey should be re-employed within three months from the date of the publication of the award. He would be entitled to his pay from the date of his employment, if within that three months, or if beyond three months, then from the end of three months after the publication of the award."

3. The award is dated 20th January, 1951. The Government notification respecting it is dated 13th February, 1951, but it was published in the *Gazette of India*, dated 17th February, 1951.

4. Shri R. K. Dubey was not re-instated within three months of the date of the publication of the award, but was reinstated on 19th December, 1953. So he is entitled to his pay from 17th May, 1951 to 18th December, 1953. The dispute is about the meaning of the word 'pay'. According to the workmen the term 'pay' means 'wages' which includes all remuneration which is capable of being expressed in terms of money and Shri R. K. Dubey claimed as follows:—

	Rs.	A.	P.
1. Basic pay at Rs. 30 p.m. .. .. .	935	0	0
2. Dearness allowance at Rs. 30 p.m. .. .. .	935	0	0
3. Bonus .. .. .	311	10	8
4. Grain allowance at Rs. 11-4-0 p.m. .. .. .	350	10	0
5. House rent at Rs. 8 p.m. .. .. .	249	4	0
6. Medical aid at Rs. 5 p.m. .. .. .	155	0	0
7. Water at Rs. 5 p.m. .. .. .	155	0	0
8. Fuel at Rs. 5 p.m. .. .. .	155	0	0
9. Leave with pay for 111 days at 43 days per year .. .. .	300	0	0
10. Employers' contribution to P.F. .. .. .	50	10	0
11. Overtime allowance for Sunday working on 124 Sundays at Rs. 3-5-4 .. .. .	413	4	0
12. Light at Rs. 4 p.m. .. .. .	124	0	0
<b>TOTAL .. .. .</b>	<b>4,134</b>	<b>6</b>	<b>8</b>

According to the management 'pay' only means 'basic pay' and so he is said to be entitled to Rs. 931. Shri Dubey has wrongly calculated the basic pay with effect from 13th May instead of 17th May, 1951 as the award was published on 17th February and not on 13th February, 1951.

5. The management has also raised a preliminary objection that the present reference is not maintainable in law because there is no industrial dispute. It is contended that there is no industrial dispute because by letter No. LR.2(369)/52, dated 14th February, 1955, marked annexure 'A' (attached to the written statement of the employers) the Government has decided the amount payable which the management is prepared to pay. A perusal of the said letter will reveal that

it is a letter from one Shri A. Narayanan, Under Secretary to the Government of India, Ministry of Labour, addressed to the Managing Agents stating that Shri Dubey is entitled to Rs. 931 only under the said award and that it may be paid to him. The management subsequently offered this amount to the workman who refused to accept the payment. This letter was written by the Under Secretary to the Government of India, Ministry of Labour, in his administrative capacity and the matter was never referred to him by the parties for decision, nor the Under Secretary had any jurisdiction to decide the matter. It is only a personal opinion of a Government official which does not bind the workman in any way whatsoever. The dispute is between the workman and his employers and not between the employer and the Government. As the workman did not agree to the opinion expressed by the Under Secretary therefore the matter was taken up by the Government and the dispute has been referred to me in exercise of the powers conferred on the Government by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947. It is therefore wrong to state that there is no industrial dispute or that this Tribunal has got no jurisdiction to decide the matter.

6. So far as the interpretation of the word 'pay' is concerned, the term 'average pay' has been defined in clause (aa) of section 2 which runs as follows:—

"'average pay' means the average of the wages payable to a workman—

- (i) in the case of monthly paid workman, in the three complete calendar months,
- (ii) in the case of weekly paid workman, in the four complete weeks,
- (iii) in the case of daily paid workman, in the twelve full working days, preceding the date on which the average pay becomes payable if the workman had worked for three complete calendar months or four complete weeks or twelve full working days, as the case may, and where such calculation cannot be made, the average pay shall be calculated as the average of the wages payable to a workman during the period he actually worked;)"

The meaning of the word 'pay' as usual in the award cannot be different from the word 'pay' used in the term 'average pay' which has been defined as above. According to the above, average pay means, average wages payable to a workman and therefore 'pay' means 'the wages' payable to a workman. The term 'wages' has been defined in clause (rr) of the Act which runs as follows:—

"'wages' means all remuneration capable of being expressed in terms of money, which would, if the terms of employment, express or implied, were fulfilled, be payable to a workman in respect of his employment or of work done in such employment, and includes—

- (i) such allowances (including dearness allowance) as the workman is for the time being entitled to;
  - (ii) the value of any house accommodation, or of supply of light, water, medical attendance or other amenity or of any service or of any concessional supply of foodgrains or other articles;
  - (iii) any travelling concession;
- but does not include—
- (a) any bonus;
  - (b) any contribution paid or payable by the employer to any pension fund or provident fund or for the benefit of the workman under any law for the time being in force;
  - (c) any gratuity payable on the termination of his service;)"

7. The word 'pay' cannot mean 'basic pay' alone as otherwise the word 'basic' becomes redundant. Basic pay means pay of 1939 and not the present pay. Pay means 'wages' as defined by the Act and therefore the workman is entitled to his basic pay, dearness allowance, grain allowance and house rent. As regards medical aid the workman has stated that he is not given medical aid in cash but in case of illness he is allowed to purchase certain medicines in case they are prescribed and are not available in the hospital. According to the definition of wages it includes value of medical attendance if it is capable of being expressed in terms of money. It cannot be said that the workman must have fallen ill during the period of dispute and he would have required medicines worth Rs. 155 and that these medicines could not be available at the company's hospital. In the ordinary course, if a workman falls ill, he is treated in the hospital and no extra charge is incurred by the management and hence I am of opinion that the

amount of Rs. 155 charged as medical aid cannot be allowed. The workman has claimed water charges at the rate of Rs. 5 per mensem. The management contended that they did not pay anything as water charges, and when the workman was questioned about it, he stated that an adjustment coolie used to provide him with water. If an adjustment coolie provided him with water, there was no legal sanction behind it. The management cannot be made to pay the water charges, so the water charges claimed by the workman are also disallowed. The workman has also claimed fuel charges at the rate of Rs. 5 per mensem but he was faced with his own letter marked Exhibit R/1, dated 18th December, 1953, where he had claimed Rs. 3 as fuel charges. The management denied to have supplied any fuel and when questioned about it the workman replied that he was allowed one basket of coal per day as fuel and that the coal was shown in the books of the company under the heading colliery consumption. It has not been proved that this alleged supply of coal was covered by any terms of employment whether express or implied. So this item is also disallowed. The next item claimed is a sum of Rs. 300 in lieu of 111 days leave which may have fallen due to him if he had worked. This is not covered by the definition of wages and so it is disallowed. The employers' contribution to Provident Fund and Bonus are specially excluded by sub-clauses (a) and (b) (iii) of clause (rr). The question of overtime does not arise at all. One is entitled to overtime when he works overtime and not otherwise. The last item is of light and the workman has stated that he was supplied with one tin of kerosene oil per month and so I allow the item of light. The amounts payable have to be re-calculated as they are payable with effect from 17th May and not from 13th May as given in the statement of Shri R. K. Dubey. Under the circumstances, the workman is entitled to the following amounts:—

	Rs.	A.	P.
Basic pay at Rs. 30 per mensem .. ..	930	0	0
Dearness allowance at Rs. 30 per mensem .. ..	930	0	0
Grain allowance at Rs. 11-4-0 per mensem .. ..	348	12	0
House rent at Rs. 8 per mensem .. ..	248	0	0
Light at Rs. 4 per mensem .. ..	124	0	0
<b>TOTAL</b> ..	<b>2,580</b>	<b>12</b>	<b>0</b>

8. I may also point out that it has been stated in para. 8 of the written statement of the management that Shri R. K. Dubey was paid at the rate of Rs. 25 as basic pay at the time of his dismissal in 1948, but it has been proved in this case that R. K. Dubey was drawing Rs. 30 as his basic pay from May, 1946 to October, 1947. In November, 1947 when the Korea Award came into force his basic pay was reduced from Rs. 30 to Rs. 25 and this reduction was done respecting all the members of the staff, but the cut imposed was restored in February or March, 1949, respecting all the members of the staff. Had the workman been re-employed on 17th May, 1951 according to the award, he would have got his basic pay at the rate of Rs. 30 per mensem and not at the rate of Rs. 25 per mensem. So his basic pay has to be calculated at the rate of Rs. 30 per mensem.

9. The workman is not entitled to any interest but I allow Rs. 50 as costs and pass my award according to the above findings.

(Sd.) P. S. BINDRA, *Chairman,*

*The 15th February, 1956.*

Central Govt.'s Industrial Tribunal, Dhanbad.

[No. LR-II-2(369)/52.]

K. D. HAJELA, *Under Secy.*

*New Delhi, the 23rd February 1956*

**S.R.O. 555.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government hereby published the following award of the Central Government Industrial Tribunal, Dhanbad in the matter of an application under section 33A of the said Act, from Shri Chakradhar Mudali, a workman of Messrs. Indian Copper Corporation Ltd.

## CENTRAL GOVERNMENT INDUSTRIAL, TRIBUNAL AT DHANBAD.

APPLICATION No. 465 OF 1955

In the matter of an application U/s. 33A of the Industrial Disputes Act 1947.

PRESENT

Shri P. S. Bindra, B.A.L.L.B., *Chairman*.

PARTIES

Chakradhar Mudali, Timber Mazdur, B/N 3547, C/o Mosabeni Mines  
Labour Union, P.O. Mosabeni Mines, Singhbhum—*Complaint*.

Vs.

The General Manager, Messrs. Indian Copper Corporation Ltd., P.O.  
Ghatsila, Singhbhum—*Opposite Party*.

## AWARD

This is a complaint under Section 33A of the Industrial Disputes Act, 1947, by an employee of Messrs. Indian Copper Corporation Ltd.

It is alleged by him that a warning chit has been issued on 8th November, 1955, during the pendency of Reference No 20 of 1955 which has prejudiced his conditions of service. The employer has filed a written statement stating that the warning chit has been cancelled and the relevant entry has been deleted from the service card of the employee concerned.

Under the circumstances, there is now no contravention of Section 33 of the Act, and the present complaint under Section 33A has become infructuous. I pass my award accordingly.

The 10th February, 1956.

(Sd) P. S. BINDRA, *Chairman*,  
Central Government Industrial Tribunal Dhanbad

[No. LR II/57-6(1)/56.]

New Delhi, the 24th February 1956

**S.R.O. 556.**—In exercise of the powers conferred by section 15, read with clause (b) of section 2, of the Industrial Employment (Standing Orders) Act, 1946 (XX of 1946), the Central Government hereby makes the following further amendment in the Industrial Employment (Standing Orders) Central Rules, 1947, the same having been previously published as required by sub-section (1) of section 15 of the said Act, namely:—

In the said rules, after item (3) of rule 5, the following item shall be inserted, namely:—

“(3A) Number of casual workmen.”

[No. LR II/11(10)/55.]

## CORRIGENDUM

New Delhi, the 24th February 1956

**S.R.O. 557.**—Under rule 23 of the Industrial Disputes (Central) Rules, 1947, the Industrial Tribunal, Trivandrum, has made the following correction in its Award in the dispute between Messrs. Hopkin & Williams (Trav.) Ltd., Chavara, and the Mineral Companies Staff Association, Chavara, published in Part II—Section 3 of the *Gazette of India*, dated the 14th January, 1956 (*vide* Government of India, Ministry of Labour Notification No. S.R.O. 116, dated the 7th January, 1956):—

## Correction

Paragraph No. 3 beginning with the words “The first issue.....” may be renumbered as paragraph 4, and paragraph Nos. 4 and 5, immediately following the said paragraph 3, may be renumbered as paragraphs 5 and 6. Paragraph No. 5 beginning with the words “The second issue.....” may be renumbered as 7 and paragraph Nos. 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19 may be

renumbered as paragraph Nos. 8 to 21 respectively. Paragraph No. 20 beginning with the words "The Company was paying....." may be renumbered as 22 and the paragraph Nos. 21, 22 and 23 may be renumbered as 23, 24 and 25 respectively.

[No. LRH/2(72)/55.]

P. D. GAIHA, Under Secy.

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**MINISTRY OF INFORMATION AND BROADCASTING**

*New Delhi-2, the 22nd February 1956*

**S.R.O. 558.**—It is notified for general information that Shrimati Padmini Sen Gupta, having tendered resignation from membership of the Calcutta Advisory Panel of the Central Board of Film Censors, the Central Government has accepted the same with effect from the 25th February, 1956.

[No.14/6/55-FC.]

*New Delhi-2, the 24th February 1956*

**S.R.O. 559.**—In exercise of the powers conferred by sub-section (2) of section 5 of the Cinematograph Act, 1952 (XXXVII of 1952), the Central Government hereby directs that the film entitled "Jungle Drums of Africa and its trailer" produced by the Republic Pictures Corporation, U.S.A., shall be deemed to be uncertified films in the whole of India.

[No. 8/6/56-FC.]

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**ORDER**

*New Delhi-2, the 23rd February 1956*

**S.R.O. 560.**—The Central Government hereby directs, in pursuance of the provisions of the Order of the Government of India in the Ministry of Information and Broadcasting No. S.R.O. 3805, dated the 26th December, 1955, and in modification of the Order of the Government of India in the Ministry of Information and Broadcasting No. S.R.O. 1153, dated the 6th April, 1954, that the Advisory Panel of the Central Board of Films Censors at Calcutta shall consist of 17 members with effect from the 25th February, 1956.

[No. 14/6/55-FC.]

D. KRISHNA AYYAR, Under Secy.

